



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,809	02/20/2004	Geoffrey Benjamin Allen	14334.1006	7821

7590 06/30/2005

Ronald Abramson
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, NY 10004-1482

EXAMINER

COURTENAY III, ST JOHN

ART UNIT	PAPER NUMBER
----------	--------------

2194

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,809

Applicant(s)

ALLEN ET AL.

Examiner

St. John Courtenay III

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Applicant's claim for priority under 35 U.S.C. § 119(e) with respect to provisional application 60/449,472, filed Feb. 23, 2003, is acknowledged.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by **Gutfreund et al.** (U.S. Patent 6,665,835).

As per independent claim 1:

Gutfreund teaches a method for creating a multimedia presentation, which presentation comprises an audio or video recording of a session wherein a presenter presents an audiovisual presentation, the method comprising:

- (i) the presenter presenting the audiovisual presentation [e.g., see capturing a seminar style presentation and associated discussion, beginning col. 3, line 36] ,
- (ii) making an audio or video recording of the presentation [e.g., see " The master capture 120 includes a camera/microphone 122

for actually recording an audio/video event." and associated discussion, beginning col. 3, line 60, also see col. 3, lines 45-59, i.e., "capture an audio/video presentation"] ,

- (iii) wherein timing data comprising data for start, end and transition events [start, end and transition events are inherent in "associated change events", see col. 4, line 12] within the audiovisual presentation are automatically, and without manual processing, incorporated into the audio or video recording, so as to allow the events to be used on playback to coordinate the audio or video portion of the multimedia presentation with the audiovisual portion thereof [e.g., See " Alternatively, the presenter could cause the generation of the **time stamps** in an **automatic manner**, for example, by the action of selecting a next slide, or previous slide from presentation software. Still further, one could envision **heuristic techniques** usable to predict time change events by taking advantage of video content analysis algorithms." col. 4, lines 14-20] .

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by **Hull et al.** (U.S. Patent Application Publication US 2001/0020954).

As per independent claim 1:

Hull teaches a method for creating a multimedia presentation, which presentation comprises an audio or video recording of a session wherein a presenter presents an audiovisual presentation, the method comprising:

- (i) the presenter presenting the audiovisual presentation [e.g., see "multimedia presentations" and associated discussion, §0006, see also §0024 i.e., "PRA 100 may be configured to capture/record information presented during a multimedia presentation"],
- (ii) making an audio or video recording of the presentation [e.g., see "Presentation Recording Appliance (PRA)" and associated discussion, §§0006, 0024],
- (iii) wherein timing data comprising data for start, end and transition events within the audiovisual presentation are automatically, and without manual processing, incorporated into the audio or video recording, so as to allow the events to be used on playback to coordinate the audio or video portion of the multimedia presentation with the audiovisual portion thereof [e.g., see §0058: "Referring back to FIG. 3, PRA 100 may synchronize the captured video information (or the selected video keyframes) and the digitized audio information (step 316). The video keyframes and audio tracks are synchronized so that when the recorded multimedia information is played back, the keyframes and audio tracks will be played in sync as they originally occurred. According to an embodiment of the present invention, synchronization may be accomplished by recording a timestamp when each keyframe is captured and stored and at the beginning of each sound track. The timestamp may encode the current date and time, perhaps to fractions of seconds." See also §§0059-0063 synchronization data discussion, e.g., §0062: "According to an embodiment of the present invention, the synchronization data for information captured during a multimedia presentation, including the timestamps for the audio and keyframe tracks, may be stored/represented in several ways. According to a specific embodiment of the present invention, a Synchronized Multimedia Interface Language (SMIL) format file may be used to name the audio and video tracks. FIG. 5 depicts an example of a SMIL file for a multimedia presentation that includes one audio track and five keyframes. A RealPix file, shown in FIG. 6, may be used to describe the video keyframe track. The file

Application/Control Number:
10/783,809
Art Unit: 2194

Page 5

contains the names of the individual JPEG images and the times during the replay when they should be displayed."]].

Prior Art not relied upon:

Please refer to the references listed on the attached PTO-892 which are not relied upon in the claim rejections detailed above.

Application/Control Number:
10/783,809
Art Unit: 2194

Page 6

How to Contact the Examiner:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to St. John Courtenay III, whose telephone number is 571-272-3761. A voice mail service is also available at this number. The Examiner can normally be reached on Monday - Friday, 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-AI who can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

All responses sent by U.S. Mail should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**PTO CENTRAL FAX NUMBER:
703-872-9306**

- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (571) 272-2100.**


**ST. JOHN COURTENAY III
PRIMARY EXAMINER**